
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

STACY GEBHART,
Plaintiff,

v.

DARRYL GIBSON, JEFF SAFTLEY,
JEFF SHOTTS, TY TAYLOR, and
JENNIFER SCHULTZ,
Defendants.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFF'S
MOTION FOR JUDICIAL SETTLEMENT
CONFERENCE

Case No. 4:24-cv-00050-PK

Magistrate Judge Paul Kohler

This matter is before the Court on Plaintiffs' Motion for Judicial Settlement Conference.¹
Defendants have not responded and the time to do so has expired.²

Whether to compel settlement is within the district court's discretion.³ The Court "has authorization by local rule and [its] inherent authority to order mediation as a way of managing the litigation before it."⁴ "Of course, a district court's inherent powers are not infinite."⁵ "[I]nherent powers must be used in a way reasonably suited to the enhancement of the court's processes;" exercised in a manner that comports with applicable statutes, rules, and procedural fairness; and used "with restraint and discretion."⁶ When settlement is forced upon unwilling

¹ Docket No. 12, filed June 6, 2024.

² DUCivR 7-1(a)(4)(D)(ii).

³ See *Pierce v. Underwood*, 487 U.S. 552, 559 n.1 (1988).

⁴ *United States v. Ridley's Family Mkts., Inc.*, 525 F. Supp. 3d 1355, 1357 (D. Utah. 2021); see also *In re Alt. Pipe Corp.*, 304 F.3d 135, 143 (1st Cir. 2002); DUCivR 16-3.

⁵ *In re Alt. Pipe Corp.*, 304 F.3d at 143.

⁶ *Id.* (internal quotation marks and citation omitted).

litigants, it stands to reason that the likelihood of settlement is diminished.⁷ Requiring parties to invest substantial amounts of time and money in settlement under such circumstances may well be inefficient.⁸

Given the procedural posture of this case, including that Defendants only recently appeared and have not yet responded to Plaintiff's Complaint, the Court finds that a settlement conference will not be beneficial at this time. It is therefore

ORDERED that Plaintiffs' Motion for Judicial Settlement Conference (Docket No. 18) is DENIED WITHOUT PREJUDICE.

DATED this 2nd day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Paul Kohler', written over a horizontal line.

PAUL KOHLER
United States Magistrate Judge

⁷ *Ridley's Family Mkts.*, 525 F. Supp. at 1357–58.

⁸ *Id.* at 1358.